

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-CV-30147-KPN

MESTEK, INC.,)	
)	
Plaintiff)	
)	
v.)	JOINT STATEMENT FOR
)	INITIAL SCHEDULING
)	CONFERENCE
MACSTEEL SERVICE CENTERS USA, INC. and)	
BSC PROPERTIES, INC.,)	
Defendants)	

Pursuant to the Notice of Scheduling Conference dated February 8, 2005, and in accordance with Federal Rule of Civil Procedure 16(b) and Local Rule 16.1, counsel for the plaintiff Mestek, Inc. and for the defendants Macsteel Service Centers USA, Inc. and BSC Properties, Inc. have conferred and submit the following:

1. PROPOSED AGENDA OF MATTERS TO BE
DISCUSSED AT SCHEDULING CONFERENCE.

- A.) Establishment of a pretrial schedule, including discovery and deadlines for filing of motions;
- B.) Plaintiff's settlement proposal and response thereto by the defendants.

2. PROPOSED PRE-TRIAL SCHEDULE

<u>EVENT</u>	<u>DATE</u>
Exchange of Automatic Discovery Pursuant to Fed. R. Civ. P. 26(a)(1)	March 30, 2005
Joinder of Additional Parties and Amendments to Pleadings	April 16, 2005
Service of Written Discovery	May 30, 2005
All non-expert discovery to be completed by	September 30, 2005
Plaintiff's Expert Report due by	October 31, 2005

Defendants' Expert Report(s) due by	November 30, 2005
All expert discovery to be completed by	December 31, 2005
Motions for Summary Judgment filed by	January 31, 2006
Pretrial conference	Date convenient for the Court

3. CERTIFICATION OF CONFERENCE REGARDING BUDGET AND
ALTERNATIVE DISPUTE RESOLUTION.

The parties will file their Local Rule 16(D)(3) certifications at the Initial Scheduling Conference.

4. CONSENT TO TRIAL BEFORE MAGISTRATE JUDGE

Defendant Macsteel Service Centers USA, Inc. does not consent to trial of this matter by a magistrate judge.

Respectfully submitted,

Mestek, Inc.
By its attorneys,

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Macsteel Service Centers USA, Inc.
By its attorneys,

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BSC Properties, Inc.
By its attorneys,

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Dated: March 8, 2005
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